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**Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council**

# Proposals submitted to the Working Group during its 2002 session

## Conference room paper submitted by the Bureau of the Working Group

## I. Proposal contained in a letter dated 15 May 2002 from the Permanent Representative of Italy to the United Nations addressed to the Chairman of the Working Group

The discussions that have taken place in this year's session of the Open-ended Working Group on Security Council reform have given evidence to the element of time as a crucial criterion to guide its deliberations and provide them with a reasonable sense of priority also as regards the issue of enlargement. All the more after the Millennium Summit, it is compelling to intensify efforts to move forward the process of reform. In this respect, nine years of thorough examination and lengthy debates have unquestionably proven that an agreement on the principle of adding new permanent members, as well as on their requirements, distribution among the regional groups and possible powers continues to be elusive.

In the light of these circumstances, the time has come to give special consideration to the only practicable way out of these divisive positions ensuring, at least after nine years, a broader representation of all regional groups and individual members on the Council. It has been correctly pointed out in this session that, had we adopted such a constructive approach from the beginning, as many as 50 additional Member States would by now have participated in the Council activities, giving their valuable contribution to its deliberations.

Such a long span of time has demonstrated how deep and substantial are the differences of opinion still remaining on the proposals to increase the number of permanent members, particularly as regards the feasibility of introducing a new category of "permanent members without the veto". While no real progress has

emerged in regard to such specific expansion formulas, a wide convergence of views exists on the more general principle that representation on the Security Council needs to be enhanced in accordance with the requirements of equitable regional distribution and fair rotation. Furthermore, enlargement only in non-permanent membership could be considered in conjunction with other proposals for expansion in this category, such as establishing more frequently rotating seats, non-permanent members with longer terms, non-permanent members eligible for immediate re-election.

Therefore we are of the opinion that the proposal introduced by Italy on 15 May last concerning the time factor should be duly reflected in the revised version of the document entitled "Principal elements of proposals" (annex XIII of last year's report), possibly in the section "E. Increase in non-permanent membership", where reference is made to general criteria for enlargement of non-permanent members. The text to be included would read as follows :

> **"Since no agreement has been reached on an enlargement of other categories of membership after nine years of debates, priority consideration should be given to an enlargement of non-permanent membership only, for the time being."**

We welcome your intention to circulate other drafts of conference room papers soon, as stated in your letter dated 4 June last transmitting the revised version of the conference room paper on cluster II issues. Accordingly the revised version of the conference room paper on cluster I issues is expected to put on record new proposals made by Member States during the last substantive session. Without any prejudice on the merit of the Italian proposal, it undeniably drew a qualified attention and was addressed by a large number of delegations during subsequent meetings. The broad interest displayed indicates how central to the Security Council reform is the notion of the passing of time.

Following the traditional practice of the Open-ended Working Group, the Bureau is now working on a revision of the documents related to cluster I issues: it so proceeds "in order to take into account the suggestions" made during the discussions (as stated, inter alia, in the introduction to annex XII of last year's report). As in the case of cluster II, the conference room papers on cluster I are "living documents" subject to integration aimed at reflecting any new, constructive perspective which had emerged in the preceding debates: an approach implying that due notice should be taken in this year's conference room paper of the above illustrated proposal.

## II. Proposal contained in a letter dated 17 May 2002 from the Permanent Representative of Japan to the United Nations addressed to the Chairman of the Working Group

During the discussions on cluster I issues in the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council in its March and May sessions, the Japanese delegation proposed amendments to annexes XIII and XIV of the report of the Working Group (A/55/47).

The Japanese delegation has compiled these proposals in the attached document in the hope that these proposals will be helpful in advancing the discussion on cluster I issues in future meetings of the Open-ended Working Group. This compilation is not intended to reduce or add to the current range of elements being proposed by Member States, but rather to eliminate those proposals that no longer enjoy support and to do away with redundancies in order to streamline annexes XIII and XIV of A/55/47.

I would be grateful if you could circulate the present letter and its attachment as a conference room paper of the Open-ended Working Group.

(Attachment)

**Proposals made by the delegation of Japan concerning possible improvements to annexes XIII and XIV of the report of the Open-ended Working Group (A/55/47)**

**Annex XIII. Principal elements of the proposals listed in annex XI of the report of the Working Group (A/54/47) concerning (a) decision-making in the Security Council, including the veto (sect. I), and (b) expansion of the Security Council (sect. II)**

**II. Principal elements of proposals made with reference to "Decision-making in the Security Council, including the veto"**

**A. The veto as a voting instrument in the Council**

- Delete A.1.(a), "The veto in its present form should be maintained", and A.2.(a), "The veto should be eliminated", as a package.

  *Reason*: As the elements under A.1. do not require Charter amendment, it is a given that the veto in its present form would be maintained under these scenarios. Furthermore, we are not aware of any Member State, including the permanent members of the Council, that does not support the idea that "permanent members of the Council should exercise restraint in resorting to the veto". (A.1.(b)(1)) If so, A.1.(a) could be deleted.

  On the other hand, as the concept of the elimination of the veto is contained in A.2.(b)(2), namely, "The veto should be initially curtailed with a view to eventual elimination", and as immediate elimination of the veto is most likely not a realistic option, A.2.(a) could also be deleted as a part of this package.

**B. Number of affirmative votes required for decisions in an enlarged Council**

- In B.(2), subject to the amendments on section III.B. below, delete "in a Council of 20, it would be 12"; insert "and 22" after "in a Council of 21" and insert "23 and" before "24". The subsection, as amended, would read as follows:

"(2) If 60 per cent of affirmative votes is required for decision, then the number of votes required in an enlarged Security Council would be as follows:

in a Council of 21 and 22, it would be 13;

in a Council of 23 and 24, it would be 14;

in a Council of 25, it would be 15; and

in a Council of 26, it would be 16."

*Reason*: The range of numbers should cover all proposed alternatives and should be consistent with section III.B. "Proposals of specific numbers for enlargement of Council".

## III. Principal elements of proposals made with reference to "Expansion of the Security Council"

### A. Proposals of a general nature

– Combine the elements under A.2., "Proposals for enlargement of Council in non-permanent membership only, for the time being", and A.3., "Proposals for enlargement of Council in non-permanent membership only", under the same subsection. The subsection, as combined, would read as follows:

**"2. Proposals for enlargement of Council in non-permanent membership only**

(1) There should be enlargement in non-permanent membership only.

(2) There should be enlargement in non-permanent membership only, for the time being.

(3) There should be enlargement in non-permanent membership only, based on the principle of sovereign equality of States, and equitable geographical distribution."

*Reason*: All of the above elements have to do with enlargement in the non-permanent membership only. Thus the text of annex XIII could be streamlined by combining them under a single subsection.

### B. Proposals of specific numbers for enlargement of Council

– In B.1., "Specific numbers proposed", delete "20 members", replace "26 members" with "at least 26 members", and delete "30 members".

*Reason*: Reference to a Council of 20 could be deleted, taking into account the statements made by various delegations. Furthermore, there seems to be no support now for an expanded Council of "30 members", but even if there were, this element would be covered by inserting "at least" before "26", reflecting the common position of the Movement of Non-Aligned Countries.

– Delete B.2., "Range of numbers proposed", subject to the above proposed changes to B.1. As a consequence of deleting B. 2., all subtitles in subsection B would also be deleted.

*Reason*: Introducing the above-proposed changes to B. 1. would cover all the possible ranges proposed in B. 2.

The subsection, as amended, would read as follows:

"**B. Proposals for specific numbers for enlargement of Council**

The enlarged Council should consist of

21 members

22 members

23 members

24 members

25 members

at least 26 members

**C. Increase in permanent membership of Council**

– On C.2., "Proposals for enlargement of permanent membership of the Council", delete (6), "Five additional permanent seats: — one to each regional group in UN (except Western European and Others); — two additional financial permanent members."

*Reason*: Element (6) is identical to element (4) in substance.

**E. Increase in non-permanent membership**

– In E.2., "Allocation of non-permanent seats among regions", delete (3), "Four new non-permanent members should be elected as follows: one for Africa; one for Asia; one for Eastern Europe; one for Latin America and the Caribbean."

*Reason*: A literal interpretation of element (3) would yield a Council of 19 members only, which is smaller in terms of total size than any of the proposals put forward by Member States in the past. This would indicate that element (3) presupposes a simultaneous enlargement in the permanent membership. As elements (2) and (3) seem to refer to the same idea, element (3) could be deleted without damaging any Member State's position.

– In E.4., "Some States to participate more frequently as non-permanent members", delete (4), "The number of non-permanent members should be increased from 10 to 15. The additional five non-permanent members could have a long term (between 6 and 12 years, for example) and be chosen by the General Assembly by a simple majority. Retiring members would be eligible for immediate re-election. The other 10 non-permanent members would continue to be elected by the General Assembly for a

period of two years. They would not be eligible for immediate re-election at the end of their terms."

*Reason*: Element (4) is identical to element (1) in substance.

**Annex XIV. Principal elements of the proposals listed in annex XI to the report of the Working Group (A/54/47) concerning the periodic review of an enlarged Security Council (sect. III)**

**A. Scope and necessity for periodic review**

– Delete 2., "A review of the Security Council is unnecessary".

*Reason*: Since no Member State expressed this view in the past, this paragraph should be deleted.